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of impact, DFG recommends onsite (within the construction ROW and at staging areas) mitigation measures be identified to include spill contingency plans, containment equipment and strategies, recovery methods, disposal procedures, and other appropriate measures. **35-7**

D.2.2.2 State (Applicable Regulations, Plans, and Standards). DFG recommends that a discussion be included on California's parallel law to the Oil Pollution Act of 1990 (OPA-90), The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. **35-8**

D.2.3.4 SFPP's Proposed System Operation. It is OSPR's opinion that SFPP is proposing sub-standard technology for pipeline monitoring and leak detection, given that the proposed pipeline is to be located in several environmentally sensitive areas. Although SFPP's proposed pipeline is apparently in compliance with the regulations, it is OSPR's opinion that a major pipeline such as that being proposed, with potential for 8,400 barrels per hour (BPH) serving much of northern California and Nevada, should be built with state-of-the-art monitoring and leak detection technology; for example, fiber-optic information gathering systems which give feedback to the Supervisory Control and Data Acquisition system (SCADA) for real-time operation reaction, such as that being used in a new pipeline running from Bakersfield to Los Angeles. **35-9**

D.2.3.5 Impacts of Unintentional Releases and D.2.3.7 Spill Scenarios. Significant impacts will occur in all four scenarios at both 8,400 and 100 BPH release rates. However, the type and magnitude of impacts are not adequately addressed in these sections. A brief discussion should be included in these sections with a reference to Section D.4 Biological Resources and other appropriate sections. **35-10**

Release rates and human reaction times to shut down the pipeline as presented in the scenarios are unacceptable for a pipeline of this magnitude. At 8,400 BPH, a catastrophic pipeline rupture will release 140 barrels (bbls) (5,880 gals.) in one minute; another five minutes (estimated) will pass for the operator to close the motor operated valves (MOVs) releasing now 700 bbls (29,400 gallons), and then the gravity drain of additional product (100s to 1,000s of bbls) between valves and the leak site. Relying on human operators to

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switch MOVs and long lag times to close manual valves is unacceptable at 8,400 BPH of refined petroleum products through sensitive habitat. Significant impacts will occur within minutes. **35-10**

Mitigation measures listed in section D.2.3.5 meet industry standards, but don't meet "Best Achievable Protection," and don't go far enough to minimize a release in the event of pipeline failure. Best Achievable Protection is defined as "the highest level of protection which can be achieved through both the use of the best achievable technology (see Government Code Title 2, section 8670.3[d]) and those manpower levels, training procedures, and operational methods which provide the greatest degree of protection available" (see Government Code Title 2, section 8670.3[c][1]). To lessen the impacts and minimize product release, we recommend the use of "Best Achievable" monitoring and leak detection technology as discussed above and the use of all MOVs or automatic valves. Manual valves remotely located in Segments 3, 4, and 5 serve little to no function in mitigating a spill due to the amount of time required for personnel to travel to the valves. We recommend these valves have the ability to be remotely operated.

D.2.3.7 Spill Scenarios. - Page D.2-48; Scenario #4: It is not clear whether or not this scenario impacts the river. A brief discussion of impacts should be included. Mitigation measures cannot adequately be evaluated unless the impacts are identified. **35-11**

Mitigation Measure B-1a. Impacts to biological resources can be minimized by reducing the amount of product spilled. To reduce the amount of product spilled, we recommend the use of Best Achievable Technologies to monitor the pipeline for rapid shut-down in the event of a release, and the use of MOVs or automatic computer controlled valves. **35-12**

Impact HS-4. Risk of Surface Water Contaimination from Pipeline Rupture Caused by Hydraulic Action. This impact relates to the potential for streambed materials to cause pipeline scour, pipe failure and release of product. The proposed mitigation, mentioned elsewhere in the DEIR, is to ensure appropriate and sufficient cover over the pipe with **35-13**